

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

B&T RENTALS, INC.

CASE NO. 6:20-CV-00598

VERSUS

JUDGE JUNEAU

**BLACK VALLEY DIRECTIONAL
DRILLING LLC, ET AL**

MAGISTRATE JUDGE WHITEHURST

ORDER

IT IS ORDERED that Defendant XTO Energy Inc.'s Objection to the Magistrate Judge's Report and Recommendation, Rec. Doc. 57, is hereby **SET** for hearing on Friday, April 23, 2021 at 10:00 a.m. in Courtroom 1. Any response to the objection must be filed by April 15, 2021 in accordance with the Court's previous order.

After an independent review of the record and the applicable law, the Court notes that no party has objected to the portion of the Magistrate Judge's report and recommendation that addresses Defendant Texas Citizens Bank, N.A.'s Motion to Dismiss, Rec. Doc. 23. Accordingly, the Court concludes that the Magistrate Judge's report and recommendation is correct as to Texas Citizens Bank, N.A.'s Motion, and adopts the findings and conclusions therein as its own.

Thus, **IT IS FURTHER ORDERED** that, consistent with the report and recommendation, Texas Citizens Bank N.A.'s Motion to Dismiss is **GRANTED IN PART**, and Plaintiff's claims against Texas Citizens Bank N.A. are **DISMISSED**

WITHOUT PREJUDICE for lack of personal jurisdiction pursuant to Fed. R. Civ.

P. 12(b)(2). The remainder of the Motion is **DENIED**.

THUS DONE AND SIGNED in Lafayette, Louisiana, on this 5th day of
April, 2021.



MICHAEL J. JUNEAU
UNITED STATES DISTRICT JUDGE